

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RANVIR YADAV, VEENA YADAV, PRIYANKA
YADAV, SIDHARTH YADAV, SURENDER
AHLUWALIA, AND DEEPAK SETH

Civil No. 11 CV 1500

Hon. John G. Koeltl

Plaintiffs

v.

RAJEEV "ROGER" PUNJ, et. als

Defendants

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Scott K. Turner, deposes and says the following:

1. I am a member of the Bar of this Court and am associated with the firm of Turner Independent Law Firm, P.C., attorney for defendant Punj, in the above-entitled action and I am familiar with all the facts and circumstances in this action.
2. I make this declaration pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in opposition to plaintiff's application for the entry of a default judgment against defendant.
3. Defendant Punj has defended against Plaintiffs complaint and his failure to answer in the context of default proceedings was not willful, did not prejudice plaintiffs, and he has a meritorious defense.
4. A motion to stay proceedings is currently pending before this Court.
5. Defendant Punj, via counsel, has completed an answer to Plaintiff's complaint which will be filed with this Court pending its decision on the motion to stay.

Wherefore, defendant respectfully requests the entry of default be vacated and the motion for default judgment be denied.

Dated: New York, NY
June 29, 2011

s/Scott K. Turner
Scott K. Turner

Sworn to before me this _____
day of _____, _____.

Notary Public